

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

CONTINENTAL D.I.A. DIAMOND  
PRODUCTS, INC., a California corporation,

CASE NO. CV 08-2136 SI

Plaintiff(s),

v.

DONG YOUNG DIAMOND INDUSTRIAL  
CO., LTD., a South Korean company,  
DONGSOO LEE, an individual, and DOES 1-10,  
inclusive,

STIPULATION AND [PROPOSED]  
ORDER SELECTING ADR PROCESS

Defendant(s).

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Counsel report that they have met and conferred regarding ADR and have reached the following stipulation pursuant to Civil L.R. 16-8 and ADR L.R. 3-5:

The parties agree to participate in the following ADR process:

**Court Processes:**

- Non-binding Arbitration (ADR L.R. 4)  
 Early Neutral Evaluation (ENE) (ADR L.R. 5)  
 Mediation (ADR L.R. 6)

*(Note: Parties who believe that an early settlement conference with a Magistrate Judge is appreciably more likely to meet their needs than any other form of ADR, must participate in an ADR phone conference and may not file this form. They must instead file a Notice of Need for ADR Phone Conference. See Civil Local Rule 16-8 and ADR L.R. 3-5)*

**Private Process:**

- Private ADR (please identify process and provider) JAMS or a similar ADR

provider for mediation.

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The parties agree to hold the ADR session by:

- the presumptive deadline (*The deadline is 90 days from the date of the order referring the case to an ADR process unless otherwise ordered.*)  
 other requested deadline 120 days from the date of this Order.

Dated:July 25, 2008

/s/ Jeffrey M. Ratinoff

Attorney for Plaintiff  
CONTINENTAL D.I.A. DIAMOND  
PRODUCTS, INC.

Dated:July 25, 2008

/s/ Alfred C. Frawley

Attorney for Defendant  
DONG YOUNG DIAMOND INDUSTRIAL  
CO., LTD., et al.

**[PROPOSED] ORDER**

Pursuant to the Stipulation above, the captioned matter is hereby referred to:

- Non-binding Arbitration
- Early Neutral Evaluation (ENE)
- Mediation
- Private ADR

Deadline for ADR session

- 90 days from the date of this order.
- other \_\_\_\_\_

IT IS SO ORDERED.

Dated: \_\_\_\_\_

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THE HONORABLE SUSAN ILLSTON  
UNITED STATES DISTRICT JUDGE